

RESOLUTION NO. 20060928-112

WHEREAS, the City Council was requested to review and approve the use of preserve land for the construction, operation and maintenance of a water treatment plant in the Balcones Canyonlands Preserve on a tract known as Cortana; and

WHEREAS, notice of public meeting to be held on September 28, 2006, was given for three consecutive weeks on September 3, 10 and 17, 2006 in a newspaper of general circulation; and

WHEREAS, such public hearing was held September 28, 2006, by the City Council to determine whether to approve the proposed use of the preserve property; **NOW, THEREFORE,**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Council finds that under present circumstances and having taken into account clearly enunciated local preferences, there is no feasible and prudent alternative to the use of the preserve property (detailed in the attached Exhibit "A") for the construction, operation and maintenance of a water treatment plant and such proposed use is approved.

That the City Council finds that the program of improvements includes all reasonable planning to minimize harm to the preserve from the resulting use.

That the use of the preserve property be specially subject to the conditions listed in the attached Exhibit B.

That the City Manager or her designee be authorized to take such measures, including the securing of further permits and approvals, as may be necessary, favorable or required to begin an expeditious construction of the water treatment plant.

ADOPTED: September 28, 2006

ATTEST:

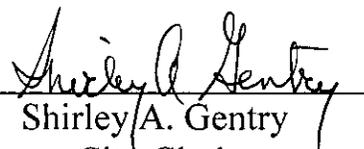
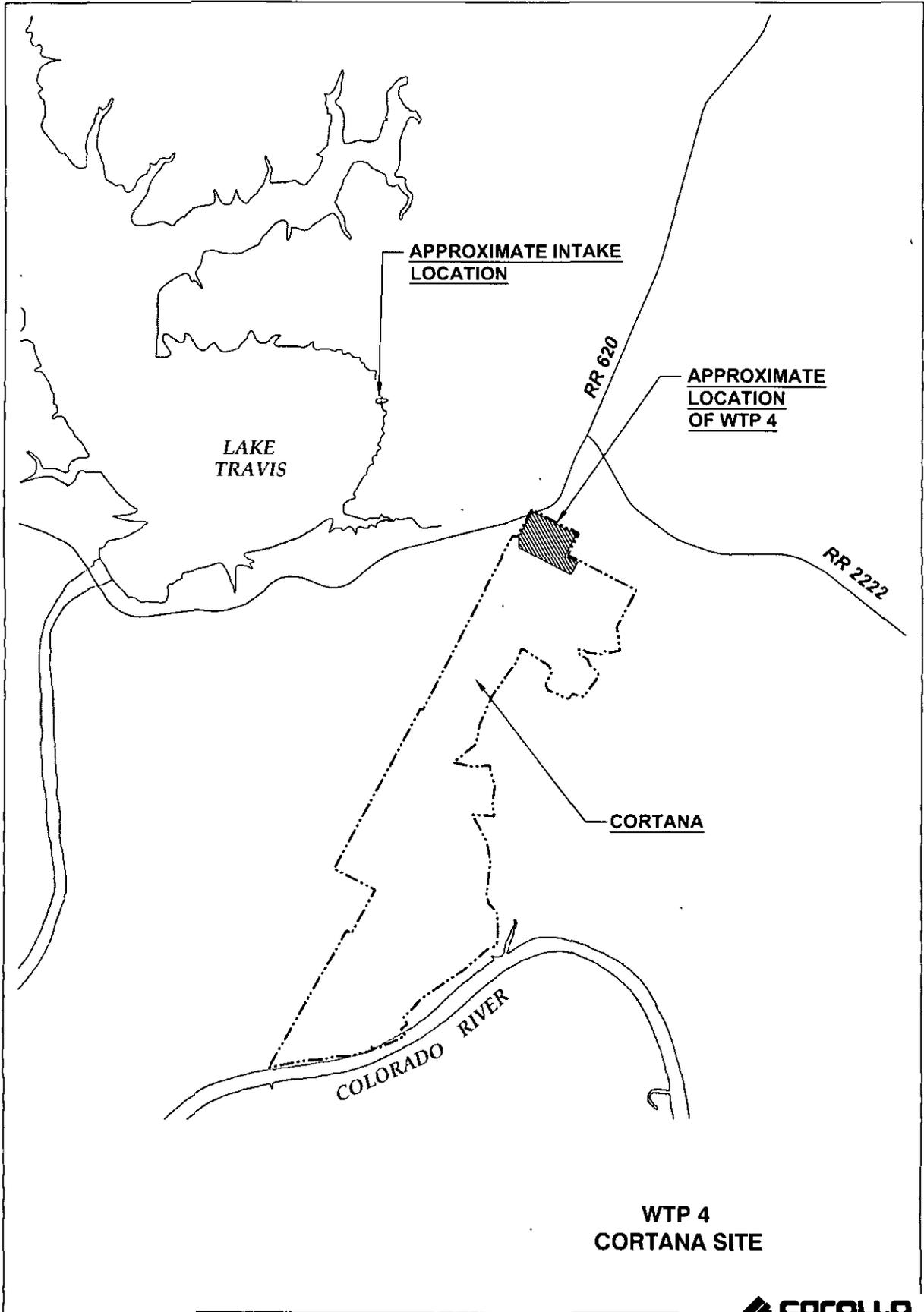

Shirley A. Gentry
City Clerk

Exhibit "A"



WTP 4
CORTANA SITE

EXHIBIT B

CONDITIONS OF APPROVAL

1. Dedication of the Little Barton Creek tract and the original water treatment plant site, excluding the existing Fire and EMS station site, to the Balcones Canyonlands Preserve.
2. Renewal of efforts towards completion of the Balcones Canyonlands Conservation Plan in collaboration with Travis County and BCCP partners.
3. Initiation of efforts to develop a plan by March 1, 2007 for the completion of steps necessary to achieve the protection and management of 2000 acres of black-capped vireo habitat, with at least 1000 acres under active management by 2010.
4. Restoration of at least five acres of habitat for every acre lost to water treatment plant development.